

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-03 INR-07 L-02 ACDA-10

NSAE-00 PA-02 PRS-01 SP-02 USIA-15 TRSE-00 SAJ-01

EB-07 OC-05 CCO-00 /068 W

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FM USMISSION NATO

TO SECSTATE WASHDC PRIORITY 0369

SECDEF WASHDC

USDOC WASHDC

UNCLAS USNATO 1111

E.O. 11652: G/A

TAGS: MARR NATO

SUBJ: US CONTRACTORS' PROBLEM WITH TRANSMITTAL OF BID DOCUMENTS  
TO NATO

REF: A. USNATO 0502

B. STATE 25282

1. MISSION ANNOUNCED (REF A) THAT NICSMA HAD EXTENDED DEADLINE FOR RECEIPT OF TARE BIDS UNTIL 21 MARCH AND THAT US PROCEDURES FOR HANDLING CLASSIFIED BIDS PUT THE US BIDDERS AT A DIS-ADVANTAGE. WASHINGTON REPLIED IN REF B. THAT US PROCEDURES FOR CLASSIFIED BIDS DID INDEED APPLY BUT THAT LITTON AND BURROUGHS WASHINGTON REPS WERE ACQUAINTED WITH THE PROCEDURES AND METHODS AVAILABLE TO HELP SPEED THINGS UP.

2. BURROUGHS REPS HAVE INFORMED MISSION THAT THEY DO NOT EXPECT BIDS TO BE COMPLETED AND GOVERNMENTAL CLEARANCES OBTAINED PRIOR TO 20 MARCH. BRUSSELS INFORMS US THAT CLASSIFIED POUCH TRANSMISSION TIME VARIES BETWEEN 5 AND 7 DAYS; THUS NICSMA WOULD RECEIVE US BIDS 4 TO 6 DAYS LATE.

3. MISSION HAS DISCUSSED THIS PROBLEM WITH NICSMA PERSONNEL WHO POINT OUT THAT BOOK 1, PARA 3.3.2. OF THE TARE CALL FOR UNCLASSIFIED

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BIDS EXPLAINS THE PROCEDURE FOR CONSIDERATION OF LATE BIDS. IN EFFECT, NICSMA WILL ONLY CONSIDER LATE BIDS IF BIDDER CAN PROVE THAT THEY DISPATCHED BIDS BY REGISTERED MAIL OR POUCH IN TIME TO ALLOW NORMAL DELIVERY. THUS NICSMA PROCEDURE EXCUSES ONLY

QUOTE ABNORMAL UNQUOTE DELIVERY IN TRANSMISSION. FROM NICSMA'S POSITION MISSION ASSUMES THAT US GOVERNMENT WOULD HAVE TO CERTIFY THAT BIDDERS HAD DISPATCHED BIDS IN TIME FOR NORMAL DELIVERY

IN ORDER TO QUALIFY THOSE BIDS FOR CONSIDERATION BY NICSMA.

4. NICSMA PERSONNEL HAVE ALSO POINTED OUT THAT WHEREAS ONE PORTION OF THE NATO BID DOCUMENTS IS CLASSIFIED NATO CONFIDENTIAL, THERE IS NO REASON WHY THE CONTRACTOR'S BID WOULD HAVE TO BE CLASSIFIED HIGHER THAN NATO RESTRICTED, AND THAT NATO RESTRICTED INFORMATION MAY BE CARRIED BY COMMERCIAL AIRLINE. THEY BELIEVE, THEREFORE, THAT US BIDDERS, HAVING COMPLETED US GOVERNMENT CLEARANCE PROCEDURES BY 20 MARCH SHOULD BE ABLE TO HAND-CARRY

BIDS TO NICSMA HQ BEFORE THE BID CLOSING TIME OF 1200 LOCAL, 21 MARCH.

5. REQUEST ADVICE ON POSSIBILITY OF EXPEDITIOUS TRANSMITTAL OF US TARE BIDS. IF WASHINGTON CAN NOT PROVIDE RELIEF FROM THE NORMAL 5-7 DAY TRANSMITTAL TIME, MISSION WILL REQUEST FURTHER CONSIDERATION BY NICSMA OF EXCEPTIONAL EXTENSION OF DEADLINE DATE FOR US CONTRACTORS IN CONSIDERATION OF THE MORE ONEROUS PROCEDURES THEY MUST FOLLOW. FAILING NICSMA ACQUIESCENCE, MISSION SUGGESTS US APPROACH TO PAYMENTS AND PROGRESS COMMITTEE ON THURSDAY, 6 MARCH, REQUESTING RELIEF ON THE BASIS OF DISCRIMINATION AGAINST US BIDDERS BECAUSE OF THEIR GEOGRAPHIC DISTANCE FROM BRUSSELS AND THE MORE STRINGENT US SECURITY PROCEDURES.

6. REQUEST ADVICE BY 5 MARCH.MCAULIFFE

UNCLASSIFIED

<< END OF DOCUMENT >>

## Message Attributes

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**Capture Date:** 18 AUG 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
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**Decaption Date:** 01 JAN 1960  
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